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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

MM Docket No. 97-217

File No. RM-9060

REPLY COMMENTS OF GULF COAST MDS SERVICE COMPANY

1. Introduction. On May 21, 1996, Gulf Coast filed a petition for rulemaking to amend Parts 21 and 74 of the Commission's rules with respect to licensing in the Multipoint Distribution Service ("MDS") and the Instructional Television Fixed Service ("ITFS") for the Gulf of Mexico. Gulf Coast's petition is still pending with the Commission. Given Gulf Coast's petition, as well as its efforts in developing a wireless system in the Gulf operating on MDS/ITFS frequencies,¹ it has an interest in the potential impact that the captioned proceeding may have on Gulf-based operations. Gulf Coast generally supports comments filed in the above captioned proceeding that are in favor of flexibility for

No comments received

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MDS operations. Gulf Coast's specific positions are set forth below.

2. Issues Regarding Permissible Use. In an ex parte presentation, Catholic Television Network ("CTN") argued that the Commission should only permit upstream transmissions on MDS/ITFS frequencies on a secondary basis to protect ITFS facilities that may be built in the future.² Gulf Coast opposes CTN's proposal on two grounds. First, CTN's proposal is at odds with the Commission's goal of promoting competition in the wireless telecommunications industry. Second, and equally as important, MDS licensees may not be able to attract the necessary buildout capital if upstream transmissions are permitted only on a secondary basis.

3. The parties that filed the petition for rulemaking that commenced this proceeding (collectively, the "Petitioners") propose that the Commission permit licensees to alternate between the provision of common carrier and non-common carrier services on the same channel without prior notice or Commission approval.³ Gulf Coast supports this proposal. Given the availability of digital technology and the emphasis on efficient use of spectrum, the historical requirement that common carrier and non-common carrier traffic be separated is no longer valid. Accordingly, any licensee that is authorized to carry common carrier traffic over MDS

² See Letter from William D. Wallace, counsel to CTN, to William F. Caton, MM Docket No. 97-217, at Attachment IV.D.2.

³ Petitioners Comments at 119.

channels should be permitted to carry non-common carrier traffic over the same channels. This change will permit licensees to make efficient use of available channels depending on the demand at any given time.

4. Technical Rules. Petitioners propose that response stations deployed under the blanket wide-area license should be permitted to operate at a maximum power level of 2 watts of transmitter output and 33 dBw effective isotropic radiated power ("EIRP").⁴ Since the most meaningful power limitation rule is one stated in terms of EIRP, Gulf Coast supports the 33 dBw EIRP limit to provide additional engineering flexibility.

5. Petitioners also propose modifying the spectral mask specification.⁵ The Commission's current rule specifies maximum attenuation based upon 6 MHz and 125 kHz channels. Since the NPRM proposes subchannelization and superchannelization, the Petitioners propose that the spectral mask rule not specify any particular bandwidth. Instead, the rule should specify the signal levels to be demonstrated and the ways that they relate mathematically.⁶ Gulf Coast supports Petitioners' proposal so that licensees can efficiently subchannelize and superchannelize their systems.

⁴ Petitioners Comments at 56.

⁵ Petitioners Comments at 127-32.

⁶ Id. at 128.

6. CTN advocates that the out-of-band emission limits for response station transmitters should be at least -48 dBc for signals within ± 6 MHz of the response station band edge and at least -60 dBc for signals greater than ± 6 MHz of the response station band edge.⁷ Moreover, if the FCC permits response station EIRPs of greater than +48 dBm (but in no event greater than +63 dBm), then a more stringent out-of-band specification should be adopted, dB for dB.⁸ Gulf Coast opposes CTN's recommendation because it unnecessarily restricts engineering flexibility and increases equipment costs.

7. NextLevel Systems, Inc. ("NextLevel") also makes a proposal regarding emission mask specifications.⁹ Gulf Coast supports NextLevel's proposal. Incorporating Next Level's proposed maximum attenuation level will conform the MDS/ITFS rules with the rules of other radio services, including PCS.

8. Spike Technologies, Inc. ("Spike") proposes changing the definition of "response station hub," so that a response station hub can relay and redirect "upstream" transmissions, not merely collect them from response stations.¹⁰ Gulf Coast supports Spike's

⁷ CTN Comments at 15.

⁸ Id.

⁹ NextLevel Comments at 3-7.

¹⁰ Spike Comments at 2-3.

proposal as providing necessary flexibility for the design and operation of MDS systems.

9. Interference Criteria. EDX, an MDS/ITFS software developer, proposed rules to simplify the interference analysis process, based upon the broadband Personal Communications Services ("PCS") model. The interference criteria proposed by EDX is based, in part, on representing in the model that all response stations in a service area are located at the same point.¹¹ Petitioners contend that EDX's proposal is flawed because it understates the interference problem at the border between markets. Further, EDX's proposal does not account for the use of non-circular cells or different grades of antenna within a service area.¹² Gulf Coast agrees with Petitioner's analysis of the EDX proposal and recommends that the Commission decline to adopt EDX's proposal.

10. Petitioners propose that, when appropriate, the rules should permit the use of most interference mitigation techniques, including terrain shielding.¹³ Gulf Coast supports the use of these techniques. However, Gulf Coast suggests that allowing noise floor factors to influence interference calculations will complicate the process of determining interference and should not be permitted.

¹¹ EDX Comments at 8-9.

¹² Petitioners comments at 60.

¹³ Petitioners Comments at 62-104.

11. In their comments, Petitioners observe that only one response station in a sector can use a particular frequency at any given time. Therefore, they propose that the rules should not require the accumulation of signals of multiple response stations within the sector as if they would operate simultaneously on the same frequency.¹⁴ Gulf Coast supports this proposal.

12. Petitioners also identify several ways that a response station hub licensee can manage interference. Therefore, they propose that a response station hub can be adequately protected by limiting the power flux density of the interfering signal received at each reception antenna previously installed or proposed for the hub to no greater than -190 dBW/m²/Hz, if the interfering signal is co-channel, or -151 dBW/m²/Hz, if the interfering signal is an adjacent channel with a 20 dB adjustment if the interfering signal is cross polarized.¹⁵ Since Petitioner's proposal provides adequate protection to response station hubs, Gulf Coast supports the adoption of this proposal.

13. Petitioners propose permitting licensees to use QPSK and CDMA on the same terms and subject to the same conditions applicable to VSB and QAM to permit licensees to make use of new technology.¹⁶ Gulf Coast supports this proposal and further

¹⁴ Id. at 65.

¹⁵ Id. at 67.

¹⁶ Id. at 116.

proposes the final rules specifically provide that offset QPSK ("OPQSK") is also permitted. Further, Gulf Coast suggests that the final rules must be flexible enough to permit any modulation technique that enhances the capability of the system and optimizes use of the spectrum.

14. Conclusion. Gulf Coast generally supports the Commission's proposal to permit MDS and ITFS licensees to engage in two-way transmissions. Gulf Coast suggests that the rules that support two-way transmissions must be sufficiently flexible to permit the use of new techniques and equipment as they become available. Further, as long as incumbent and adjacent market licensees are adequately protected against interference, MDS and ITFS licensees should be provided the latitude under the rules to design their systems to make efficient use of their allotted spectrum.

Respectfully submitted,

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